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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,000	02/13/2002	Hiroshi Yamamoto	SCEI 3.0-118	7154
530	7590	01/19/2006	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			SKED, MATTHEW J	
			ART UNIT	PAPER NUMBER
			2655	

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/075,000	<b>Applicant(s)</b> YAMAMOTO ET AL.	
	<b>Examiner</b> Matthew J. Sked	<b>Art Unit</b> 2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 January 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-5, 11-14, 18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-5, 11-14, 18 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)          |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

64

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. The objection to the specification is withdrawn in view of the amendment to the title filed 1/06/06.
3. Applicant's arguments with respect to claims 11-16 and 18 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 2, 3 and 11-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ortega et al. (U.S. Pat. 6,332,122).

As per claims 11-14, Ortega teaches a method, apparatus, a computer-readable medium with a recorded and executed program and a computer containing a program for processing speech information of a speaker comprising:

accessing voiceprint information relating to a voiceprint of speech information (database of characteristics of enrolled speakers, col. 4, lines 35-48);

identifying a characteristic of the speaker based upon the voiceprint information (if the speech frames have characteristics that match the enrolled speaker then assigns a speaker ID to the text, col. 4, lines 22-48);

generating a control command in dependence upon the characteristic of the speaker (sorts paragraphs and represents the text by particular colors or fonts based upon the speaker ID hence there must inherently be some control signal to perform these actions, col. 6, line 54 to col. 7, line 7);

converting the speech information to character data (transcribes the speech, col. 7, lines 22-34); and

subjecting the character data to predetermined processing in dependence upon the control command (sorts paragraphs and represents the text by particular colors or fonts based upon the speaker ID, col. 6, line 54 to col. 7, line 7).

6. As per claim 2, Ortega teaches the predetermined processing changes a character form of the character data (represents the text by particular colors and fonts based upon the speaker ID, col. 6, line 54 to col. 7, line 7).

7. As per claim 3, Ortega teaches the predetermined processing changes a control code of the speech information (performs multiple tasks hence each task would inherently have a different control code that would be changed depending upon the speaker ID, col. 6, line 54 to col. 7, line 7).

Art Unit: 2655

8. Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by Guan et al. (U.S. Pat. 6,502,073).

As per claim 18, Guan teaches an information transmission method comprising:  
a first information processing process comprising the steps of capturing input speech information, changing the input speech information to character data; and sending the character data to a network, including a remote server (receives speech and meaning-group recognizer converts it to textual form which is then coded and sent over the internet, which would inherently include a remote server, col. 5, lines 35-44, col. 11, lines 9-16 and Fig. 1); and

a second information processing process comprising the steps of receiving character data via the network, and changing the character data to speech information (decoder decodes the coded packages and synthesizes the text, col. 6, lines 50-67).

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ortega in view of Dietz (U.S. Pat. 6,175,820).

Ortega does not teach the identified characteristic is emotion.

Dietz teaches converting speech to text where the speech is converted to text based upon a characteristic of the speech wherein the identified characteristic is emotion (determines the tempo, volume and rate of the speech which are the characteristics of emotion in speech, col. 5, lines 42-50).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Dietz so that the identified characteristic is emotion as taught by Dietz because it would give the reader a visual representation the user's emotion hence indicating the speaker's feelings during speaking.

11. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ortega in view of Hoory et al. (U.S. Pat. 6,785,649).

Ortega does not teach sending the character data processed by the predetermined processing to a network.

Hoory teaches a system for formatting text based upon speech that sends the processed text to a network (col. 5, lines 29-56).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Ortega to send the character data processed by the predetermined processing to a network as taught by Hoory because it would allow a user at a distant workstation to view the text.

12. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guan in view of Hoory.

Guan does not specifically teach outputting the received character data and the input speech information changed to character data.

Hoory teaches a STT/TTS system over a network that outputs the received character data and the input speech information changed to character data (outputs the text to a printer, col. 5, lines 53-56).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Guan to output the received character data and the input speech information changed to character data as taught by Hoory because it would allow the recipient to both see and hear the message hence facilitating use.

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hedinger (U.S. Pat. 6,813,601) and Ichikawa et al. (U.S. Pat. 4,975,957) teach converting speech to text, transmitting the text over a network and converting the text back to speech. Schrage (U.S. Pat. 6,850,609) teaches processing text from speech based upon a voiceprint.

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Art Unit: 2655


shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Sked whose telephone number is (571) 272-7627. The examiner can normally be reached on Mon-Fri (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MS  
01/11/06

  
SUSAN MCFADDEN  
PRIMARY EXAMINER